

Remarks

Claims 1-17, 23, 24, 26 and 27 are under examination, claims 18-22 and 25 are withdrawn.

Claims 1-4 and claim 27 are cancelled herein.

Claim 5 is amended herein for grammatical purposes. Claims 9, 10, 11, 13, 15, 23, and 24 are amended herein to correct dependency to claim 5.

Claims 23 and 24 are objected to for improper multiple dependency. In view of the amendment submitted herein, Applicant requests removal of the objection.

Claim 4, a dependent claim, is objected to for failing to limit the subject matter of the previous claim. Claim 4 is cancelled herein and this objection may be removed.

Claims 1-4, 6-14, 26, and 27 are rejected, under 35 USC § 112, first paragraph, for failing to recite all 6 CDR sequences. In order to speed prosecution of these claims, Applicant herein cancels claims 1-4, and amends claims 6-14 such that they depend from claim 5, which recites 6 CDR sequences. Similarly, claim 26 is amended herein to recite 6 CDR sequences and to incorporate the subject matter of claim 27. Claim 27 is cancelled herein. Applicant reserves the right to pursue cancelled subject matter is related applications. In view of the amendments herein, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 1-16, 26, and 27 stand rejected, under 35 USC §102(e), as anticipated by each of Shelton et al., WO 2004/058,190 (priority provisional application 60/436,147 filed December 23, 2002), and Shelton et al., US 2007/0014786 (priority provisional application 60/456,648 filed March 22, 2003). Applicants

note that each of these provisional applications disclose only the mouse anti-TrkC antibody 2256 and its sequences and do not disclose the humanized anti-TrkC antibody A5 and its sequences. Therefore, given that the present application claims priority to a US provisional application filed December 23, 2003 (on or before the date of filing of the applications cited in this rejection), and given the claims of the present application exclude antibody 2256 sequences, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Conclusion

Applicant believes all claims are now in condition for allowance. Should there be any issues that have not been addressed to the Examiner's satisfaction, Applicant invites the Examiner to contact the undersigned attorney.

All fees due in connection with this response, including the fee for any required extension of time (for which Applicants hereby petition), please charge such fees to Deposit Account No. 161445.

Respectfully submitted,

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